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ANOTHER'S CRIME!

FROM THE DIARY OF INSPECTOR BYRNES.

BY JULIAN HAWTHORNE,

AUTHOR OF—

"The Great Bank Robbery," "An American Penman," Etc.

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CHAPTER XXI. AT HEADQUARTERS.



HE next morning, while the judge and Pauline were sitting over their breakfast, he said: "By the way, my darling, you remember my saying yesterday that that person—the black-haired man, whom I paid a check to, reminded me of some one?"

Pauline, who had been sitting in a listless and pensive posture, instantly brightened up and expectation sparkled in her eyes.

"Yes, I remember! Have you thought who it is?"

"It occurred to me last night, or early this morning, while I was lying awake. The name he gave yesterday evening—John—something—"

"John Grush,"

"John Grush—yes; that was not the name of the person I am thinking of. I don't mean to imply that his name may not have been John Grush. But he certainly bears a remarkable resemblance to another man whom you, I think, never saw, but whose name will be familiar to you."

"Who? tell me!"

"The judge was a little surprised at her impatience. 'Mind you, it's only a fancy of mine,' he said. 'Perhaps I shouldn't have mentioned it, but it had such an odd relation to a matter very near to you. Of course, however, it is impossible that the person who was here last night can be the man I refer to.'"

"But who is it?"

"He reminded me of Horace Dupee," said the judge. "Of course you know whom I mean. I was not personally engaged in the trial, but I dropped into the court one day, and watched the proceedings for half an hour. That was the only occasion on which I ever saw Dupee. He was a striking looking fellow, and I retained an unusually distinct memory of his features. This man Grush looks a good deal older than Dupee did—though, to be sure, it was several years ago."

"Will you have some more coffee, dear?" asked Pauline.

"No more, thank you. I'll go and smoke a cigar, and then—how is your mother feeling this morning?"

"About the same. I have an idea it might be good for her to get up to breakfast in the morning. I think she could, if she tried. Perhaps a stimulus of some sort would benefit her—some great piece of news, for instance."

"Possibly. But I hardly think there is any news that would be likely to interest your mother. She hardly ever so much as looks in a newspaper."

"I don't mean news of that kind. But if, for instance, she should hear that the thief who committed the robbery of which Percy was accused was caught and convicted; or (if it were possible) that Percy himself is not dead, but had in some strange way escaped?"

"Ah, yes; such news would give her fresh life, no doubt. But we must not let our imagination take so wide a range."

"It is not impossible. Why may not Percy be alive? No one has seen his dead body. Why may he not return some day? Men have often returned who were thought to be lost for years and years."

"Why, my dear, do not let your mind run on such thoughts! You are excited already. We must not hope to see Percy again."

After a pause Pauline said, "If he were to come back do you think he would be arrested on that old charge?"

"Speaking from the legal point of view, I suppose he would be."

"But suppose he were to come back—suppose he were in New York now—would it be unsafe for him to be seen or to have it known? Would he have to keep in hiding until his innocence could be proven?"

"My dearest wife," replied the judge, gently, "the law cannot be affected by sentiment. If it were so, it would cease to be the law. I do not say that, in certain instances, because something better and higher, only in certain instances, mind you! As to Percy's case, there is no reason to suppose that he would be treated with any special severity. Quite the contrary. It is almost certain that the original prosecutor would not appear, and the government would scarcely take up the matter. No; Percy would be arrested and certain formalities gone through with, and—bless my soul, I am talking as if the poor boy were still in this world! God bless him! He is far beyond the reach of worldly justice or injustice now!"

With these words the good judge got up, and after kissing his wife's hand in a chivalrous fashion of his, he went into the library to smoke his cigar.

Pauline loved her husband, but she was glad to be alone at that moment. She was wrought up to a high pitch of excitement, and felt the necessity of dealing with her thoughts and emotions in private. She went up to her boudoir and locked herself in.

Since the occurrence of the day before she had more than once been on the point of revealing the whole matter to her husband. Had it concerned herself alone, she would have done so at the outset. But the secret was Percy's in

the first place, and she could not tell how she had been blackmailed without revealing his presence in the city. No doubt the judge would keep the secret, for her sake, if for no other reason; but she had reflected that it could do no good to Percy to have him know it; and if Percy's presence should happen to be discovered in any other way it might prove awkward for the judge to have been found in the position of sheltering a fugitive from justice. On the other hand, she could not tell Percy of the insult that had been put upon her, because he would undoubtedly sacrifice everything to inflict summary punishment upon the blackmailer. She had therefore decided to put the latter a sun of money, giving him to understand that no more would be forthcoming for a month; and in the course of that month she intended to turn all her energies to the task of clearing Percy, by some means or other, of the old charge which so hampered and obstructed him. She would then be free to deal with the blackmailer at her leisure, and she intended to punish him to the full extent of the law.

But the revelation of the blackmailer's identity changed the whole aspect of the case. To Pauline it had been totally unexpected; and yet in looking back she could fancy that she had known him intuitively from the first. Be that as it might, it was a triumph more complete than she had ever dared to anticipate. Dupee was the man who had murdered her brother Jerrold; he (as she believed) was the man who had cast a nearly fatal shadow over the career of Percy; and he, again, delivered himself, bound hand and foot, into her power by perpetrating upon her the crime of blackmail. She had him securely, for though he had given a false name, the judge would be able to identify him as the recipient of the check, and the case against him would thus be proved. He would be arrested on that charge, and then it would go hard, but the whole truth should come out. She regarded Percy as being as good as free, and was strongly impelled to go and tell him the story at once; but, on second thought, she decided to wait until the probability had been made a certainty, and then bring him news in which there should be no element of conjecture. She wished, moreover, to enjoy the pleasure of managing the affair herself, without either her husband's or her brother's help.

Having determined in her own mind her plan of proceedings, she waited until her husband had started on his daily trip to his office, and then she put on her cloak and bonnet and went out herself. It was a fine, clear forenoon. It was not the first time she had visited police headquarters, and she knew the way thither. The squalid denizens of Bleecker and Mulberry streets stared at the handsome lady as she passed by, but she was too much preoccupied by the matter in hand to notice their observation. She mounted the steps of the big white faced building with a light heart, and asked to be admitted to see Inspector Byrnes.

She had just put the question to the sergeant when the inspector came out, in hat and overcoat. He recognized her immediately, and lifted his hat with a smile.

"You are going out," she said. "When can I see you?"

"I am not going out," was his reply. "I am going to ask you to come into my office and have a talk. If you had not come here I might have called on you today. Come in." And he conducted her to the inner room.

"Now, then," he said, when they were seated, "what is the news?"

"It is you who should have news for me," she returned, smiling. "I'm sure you have had time to find out a dozen such mysteries as the one I asked you about."

The inspector wore an amused look. "When you want to bamboozle an old hand like me," he said, "you must first of all learn to command your face. You must not look happy if you expect me to believe that you are miserable. If you have lost a brother, you must not look as if you had found one!"

Pauline blushed and got a little frightened. "It was not my brother that I asked you to find, Inspector Byrnes," she said.

"No, the brother was to be thrown in, I suppose! This is fine weather, you are having just now, Mrs. Kettle," he added, in another tone. "Capital for exercise!"

"I beg your pardon."

He laughed. "You live up near the park," he said. "Would it be too far for you to walk up to One Hundred and Twenty-fifth street, or that neighborhood?"

"To One Hundred and Twenty-fifth street?"

"By the way, that reminds me of something; perhaps you may be able to enlighten me. There is an English friend of mine in town, a gentleman by the name of Clifton. He is over here to look after the interests of a valuable English estate. It seems that the hereditary owner of this estate lately deceased, and it became necessary to find the next man in the succession. It was known that he had gone to New Zealand, but upon investigation there it appeared that he had left on a visit to this country. Finally news of him was received from Mexico. Does the story interest you?"

"Let me hear," she said.

"Well, in Mexico a man answering to his name was found; but on being told of his inheritance, he declared that he

would have nothing to do with it. That seemed odd; for people are not in the habit of throwing away three-quarters of a million of money. Just then a person appeared on the scene who affirmed that this man was not the person he represented himself to be at all, but an impostor. That seemed possible in one way; in the other way, an impostor would be the last man in the world whom one would expect to let a great property slip between his fingers. My English friend was puzzled; but he knew that this mysterious gentleman had lately been in New York, and it occurred to him that it might be a good plan to come on here and see if he could learn anything more about him.

"Now, it so happens that I have an acquaintance in Mexico who makes a point of knowing what goes on there, and whenever he hears of anything that he thinks might interest me he drops me a line, or sends a telegram, if there is any hurry. He had heard about this affair I speak of, and also that the mysterious gentleman had had an interview with some government officials, and immediately afterwards had left Mexico en route for the United States. He telegraphed this information, together with the alleged name of the mysterious gentleman. It was a name I had heard before, and I had even met the gentleman himself. So, when the steamer was announced, I took half an hour and went down to the wharf to say good day to him. And then Mrs. Kettle, a curious thing happened."

He paused and fixed his eyes on her. She sat before him with her hands tightly clasped in her lap, her lips compressed and her eyes dark with emotion.

"The gentleman whom I saw," continued the inspector, "was not the one named in the telegram, but it was an intimate friend of his, whom I had also met before. He had, however, been reported dead. But seeing him alive and well, though somewhat changed in appearance, I came to the conclusion that perhaps a mistake had been made, and that it was the friend who had died."

But Pauline could restrain herself no longer. She lifted her hands slightly and let them fall again.

"He was a dear friend of mine," she said, while the tears came into her eyes; "he was a good friend to Percy. I see you know all, inspector; you seem to know everything! What are you going to do with him?"

CHAPTER XXII. JOHN GRUSH.



HAT am I going to do with him? the inspector repeated. "Why, I have been under the impression that he was already in the best of hands and would need no attention from me!"

"Ah, don't laugh at me! If you mean harm to him, let me know it. It was by my advice that he kept in hiding. If he were arrested here it would ruin his position in Mexico, even if he were released again immediately."

"Now, Mrs. Kettle, let us understand each other," said the inspector, becoming grave and business like. "You asked me, a year ago, to clear the memory of your brother, whom you believed to be dead, of the stain that had been put upon it, by discovering and punishing the real perpetrator of the crime he was accused of. I told you that I would do what I could, and I have kept my word. By and by you discover that your brother is not dead after all, and is in New York. Don't you think it would have been a kind and courteous act on your part to have come to me and told me of it?"

"He is my brother," was her reply. "I could think of nothing before his welfare. I have told no one that he is here, or that he is alive—not even my mother nor my husband. I know that you are an officer of the law, and that when you saw your duty you would have no choice but to execute it. I hoped that the real criminal would be found, and so all turn out right."

"I don't know as I ought to expect you to care more for the law than you do for your brother," remarked the detective, stroking his chin; "and perhaps I should feel complimented that you expected the real criminal, as you call him, to be tracked and captured out of hand. But America is a large place, and the police have a number of things to look after; and, as you know, it is one thing to suspect a man, and another to convict him. As to Mr. Percy Nolen, I will only say, at present, that I have thought it sufficient to keep one eye on him; his arrest is not necessary at this stage of the proceedings."

"I thank you, Inspector Byrnes," Pauline said, "whether you considered me in your action or not. But have you heard nothing of—of Horace Dupee?"

The inspector raised his head and contemplated her gravely.

"So you continue to think it was Horace Dupee who stole the money?" he said. "Oh, I am sure of it!"

"But would you go on the stand today and swear to it?"

"I could not do that," she replied reluctantly. "I have not the evidence; I only feel that it was he."

"Then, if you had the evidence, it would be all right?"

"Yes, indeed. Have you found anything?" she asked eagerly.

"Well, that depends on what one considers anything." He opened a drawer and took out some papers. "There seems to be reason to think that Horace Dupee was in New York at the time the robbery was committed."

"Ah, I know it!"

"It also appears that immediately after the robbery, he left New York and went to San Francisco."

"Then it is proved! He is the man!" exclaimed Pauline, triumphantly.

"No, it is not proved," returned the detective, shaking his head. "It takes more than that to make a conviction. We do not know that the note was presented by Horace Dupee, and even if we did it would still be possible that he had received it from some one else. No, Mrs. Kettle, we cannot arrest Dupee on this evidence. If we could find any pretext for arresting him, either on this charge or on any other, then it might be possible to complete our evidence as to this. But the power to do that is unfortunately wanting."

"Do I understand you that if any one brought a charge against him on another matter you could obtain a conviction on this?"

"I don't promise we would do it; I only say it might be possible. But at any rate I think it would do no harm if you would tell me all about your interviews with Dupee and what came of it."

Pauline gazed at the inspector in astonishment.

"You know about that too?" she exclaimed at length.

"Why not? What is there so wonderful in that?" he returned, composedly.

"I suppose nothing seems wonderful to you," replied she; "but I confess I had expected to surprise you in regard to that. Well, then, if you know that I have seen him, I suppose that you know all that passed between us, also?"

"No, no," rejoined the inspector, laughing, "my knowledge stops at the fact of the interview. What you said to each other you will have to tell me if you wish me to know it."

"It was in order to tell you that I came here," said Pauline; and she went on to give an account of the whole affair, the inspector listening to her with close attention. Her narrative was clear and precise.

"Do you think that he was aware that you were the sister of Jerrold and Percy Nolen?" he asked, after she had finished.

"He must have known it. I was married only a short time ago, and my maiden name was in the papers."

"Does it not seem odd that he should have made this attempt upon a woman whose brother he had murdered? Murderers are usually more careful, if not more clever, than I think we shall find, Mrs. Kettle, that he is innocent of that crime. As regards the robbery I say nothing; but I have never thought it likely that a fellow like Dupee would commit a murder so peculiarly cold blooded and comparatively unprovoked as that would have been. But if he was wrongly charged with it it is quite conceivable that he may have embraced this opportunity to revenge himself upon a member of the family that brought him to ruin."

"You may be right."

"I believe it will turn out so. But there is another point suggested by your story. It is quite certain that he did not know your brother, for if he had he would not have attempted to blackmail you on his account—or, at any rate, not on the ground that he put forward."

"Yes, there can be no doubt about that," Pauline assented.

"Then don't you see it has a bearing on the robbery? Your theory has been that he committed the robbery partly, at least, in order to have your brother arrested for it. But as he did not know your brother by sight that theory will not stand. If we consider him to have been the thief, his involving your brother in the scrape must have been merely a coincidence. Your brother happened to be talking to the lady, and his overcoat pocket happened to be the one in which the purse could most conveniently be dropped. If Mrs. Tunstall's husband, instead of your brother, had been in your brother's place, the evidence, so far as the purse was concerned, would have pointed at him."

"That is logical—I cannot deny it," said Pauline. "But it does not show his innocence of the robbery; it only shows that he had not the motive for committing it that I supposed he had; it was not revenge it was vulgar pocket picking."

"Well, that is as it may be. But let me refer to another point in your story. You said that the name he gave to your husband was Grush—John Grush?"

"Yes, but of course it was an assumed name."

"No doubt; but it is curious that he should have assumed that particular name instead of another."

"Why not that as well as any?"

"Because it is the name of another man—a real man, that is, a fellow who has been a companion and intimate of Dupee's for some years past. John Grush went with Dupee to California and returned with him. It was he who pointed you out to Dupee in the park, the day you first saw your brother. It was he who suggested to Dupee that it might be a profitable job to blackmail you."

"How did you learn all that, Inspector Byrnes?"

"I might tell you that I learned it by detective intuition, or some other sort of witchcraft. But the simple truth is that John Grush told me!"

"He told you? He is one of your men, then?"

"Not at all! But he has done me good service on this occasion, nevertheless."

"But . . . I don't think I understand!"

"It is such a thing as happens every day. John Grush was arrested last night for attempting to take a man's watch in an elevated train. It is not the first time we have had dealings with him, and when he was brought in he realized that he would probably be sent up for a long term. So he resolved to get even with a man who had 'gone back on him,' as he expressed it. And that man was Horace Dupee."

"They had quarreled?"

stairs and saw him in his cell. He told me of Dupee's bad faith, and said that I would find that Dupee had actually received money from you. I acted as if I placed no credit in his accusation; and upon that he went on and declared that Dupee had, a year ago, committed a robbery for which an innocent man was arrested. Yes, Mrs. Kettle, it was the Tunstall robbery that he mentioned. I asked him how he knew and he said that he was intimate with Dupee at the time, and that when Percy Nolen was arrested Dupee had laughed and remarked that it was a good job; he was glad to have done a Nolen an ill turn, and that he hoped Nolen might rot in jail while he was spending the money Nolen was imprisoned for."

"Oh, the villain!" murmured Pauline, with dilating eyes.

"I told Grush," continued the inspector, "that I believed, if Dupee had anything to do with the robbery, that Grush had been equally guilty. He denied it at first, but finally admitted that he had discovered the fact that Mrs. Tunstall was in the habit of going about town with large sums of money in her pocket, and upon my pushing him still further he added that he had pointed her out to Dupee on the morning of the crime, and had waited outside the jeweler's shop while Dupee was doing the work inside. According to his account, Dupee had not acted squarely with him on this occasion either; he had refused to give him a fair share of the plunder, but Grush had postponed betraying his dissatisfaction until he could give it some practical effect. He gave a number of details which coincided with facts that I had previously ascertained, and convinced me that his story was substantially true."

"Thank heaven!" exclaimed Pauline. "Oh, my dear brother!"

"Wait a moment!" rejoined the detective. "We are not quite out of the woods yet! On making a review of the evidence at our disposal, I doubted whether it would be safe to cause Dupee's arrest on the robbery charge. If we should fail to hold him we might bid him good-bye; he would never be seen here again. But if I could get from you a confirmation of the blackmail story, and especially if you could prove actual payment of money, then our course would be much simpler. We could arrest and hold him on that ground without any doubt, and the rest, unless I am greatly mistaken, will come of itself."

"I can certainly prove the payment," said Pauline. "My husband and the check are both in evidence."

"Very good; and now," said the inspector, lowering his voice and leaning forward, "let me explain to you a little plan I have formed for bringing this thing to a head."

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